

DATE: 2/28/08
LOCATION: Tyler
JUDGE: Love
DEP. CLERK: M. Morris
RPTR/ECRO: M. Morris
USPO: Jimmy Wilkerson
INTERPRETER:
TIME: 1:20 pm

USA vs. Gary Don Kirkland
Richard Moore | Dick Davis

☐ kia INIT APPEARANCE ☐ kprlxm. . . PRELIMINARY HRG ☐ krmvhr . . REMOVAL HRG
☐ ksia SUBSEQUENT INIT APPEARANCE ON: _____
☒ kdtnhrg. . DETENTION HRG ☐ kevidhrg . . EVIDENTIARY HRG ☒ Other Competency Hearing
Hearing Called ☒ Hearing Held ☒ Arraignment
☒ Dft ☐ Prob violator ☐ Super Rel violator appears: ☒ with ☐ w/o cnsl ☐ pro se ☐ Cnsl appears on behalf of dft
Appears on: ☐ Complaint ☒ Indictment ☐ Information ☐ Violation of probation ☐ Violation of release

☐ kwv indi. Dft files Waiver of Indictment; ☐ Dft advised of right to grand jury consideration
☐ kinfo.fel. Information (felony) ☐ kinfo.misd. . Information (misdemeanor) ☐ ksl.info . . Information (sealed)
☐ kindiuns. Indictment unsealed ☐ kinfo.uns. . . Information unsealed ☐ kcompuns. . Complaint unsealed

☐ kars. . . Date of arrest: _____ or ☐ karsr40. (dist & case #) _____

☐ . . . Dft ☐ advised of charges ☐ advised of maximum penalties ☐ advised of right to remain silent;
☐ advised of right to counsel ☐ advised of right to Prel. Hrg. ☐ advised of right to waive Prel. Hrg.
☐ kwvprl. . Waiver of Preliminary Hrg ☐ kwvr40hrg. Waiver of Rule 40 Hrg ☐ Advised of Rule 20

☐ kcns. . . Dft first appearance with counsel ☐ CJA ☐ Ret. ☐ USPD (DO NOT DOCKET IN MAG. CASE - WITHOUT CONSENT)

☐ . . Dft advises the Court that he/she ☐ has counsel who is _____ or, ☐ will hire counsel.
☐ If dft cannot retain counsel, the court is to be advised within _____ days so counsel may be appointed.
☐ . . . Dft Requests appointed counsel, is sworn & examined re: financial status.
☐ kfinaff. Financial affidavit executed by dft. The court finds the defendant ☐ able ☐ unable to employ counsel.
☐ ko.. _____ appointed ☐ koaptpd. U.S. Pub Defender _____ appointed
☐ kdaddatty _____

☐ kgmdtn. . Gvt motion for dtn ☐ kgm . . . Gvt m/cont dtn hrg.

☐ kbnd. . . Dft bond ☐ set ☐ reset to \$ _____ ☐ PR ☐ unsecured
☐ Bond continued ☐ previous bond \$ _____ type _____ ☐ other case No. _____
☐ kocondrls. Order setting conditions of release ☐ Bond executed, dft released; ☐ ko. . . Not executed at this time
☐ Government withdrew Motion for Detention

☐ kotmpdtn. Temp Detention Pndg Hearing
☐ kodtn. . Order of Detention
☐ kwvprl. Dft waived detention hearing
☐ Dft remanded to custody of U.S. Marshal

☐ dtnhrgddl. Detention Hrg set for _____ ☐ krmvhr. Removal Hearing set for _____
☐ arrddl. . Arraignment set for _____ ☐ kprlxm. Preliminary Exam set for _____

☐ Court finds probable cause ☐ exists ☐ does not exist ☐ See Page 2

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☒ karr...

Superseding
☒ Arraignment on: ☐ INFORMATION ☐ INDICTMENT ☒ RULE 20

held on counts ☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☐ 12

☐ all counts; other counts _____

☒ Dft ☐ Prob violator ☐ Super Rel violator appears: ☒ with ☐ w/o cnsl ☐ pro se ☐ Cnsl appears on behalf of deft

☒ ... Dft☒ sworn☐ physically/mentally ready☐ name spelled☒ received copy of charges☒ discussed charges with counsel☐ charges read☐ waived reading of charges;☒ No pressure to plead☐ advised of alternate sentencing under Youth Corrections Act;

☐ kconsmagtrl. Consent to trial before U.S. Magistrate Judge

☐ kpl. ... Dft enters a plea of: ☐ no contest
to violation

*The Court took judicial notice of the psychiatric report
and the Court finds that the defendant is
competent to stand trial.*

ADJOURN 1:31 pm